



## HUMAN RIGHTS COMMISSION

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**ALS NO: 11824**

Respondent alleges that the Department's investigation into the above captioned charge is not complete; therefore, Muhammad's self-filed complaint is premature. An extension of the 365-day time limit by which the Department must make a determination of whether there is substantial evidence, totaling 150 days, was entered, giving the Department until January 3, 2003 to act.

In the case at bar, **if** the Department had failed to make this determination by January 3, 2003, then, and only then, Muhammad could have filed her own complaint between January 4, 2003 and February 2, 2003, within 30 days after the Department's time had expired, (*Section 7A-102(G)(2) of the Act*). The Department found lack of substantial evidence in the above captioned charge on September 24, 2002. Consequently, Muhammad's self-filed complaint is inapposite.

IT IS THEREFORE ORDERED THAT:

Respondent's Motion to Dismiss is GRANTED without prejudice; this matter is remanded to the Illinois Department of Human Rights.

HUMAN RIGHTS COMMISSION

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BY:  
WILLIAM H. HALL, IV  
ADMINISTRATIVE LAW JUDGE  
ADMINISTRATIVE LAW SECTION

ENTERED: May 7, 2003